

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

)

CASE NO. 8:04CR148

)

Plaintiff,

)

v.

)

JUDGMENT

)

JIM EARL KERN,

)

)

Defendant.

)

)

Pursuant to the Memorandum and Order entered on this date it is hereby **Ordered**  
**and Adjudged** that the defendant's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside,  
or Correct Sentence by a Person in Federal Custody" is dismissed without prejudice.

DATED this 23<sup>rd</sup> day of August, 2006.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge